

**MINUTES
REGULAR DRAINAGE MEETING
JANUARY 13, 2016**

Hardin County Board of Supervisor Chairman, Lance Granzow, opened the meeting. Also present were Supervisors, Ronn Rickels and Renee McClellan; Justin Ites with Times Citizen and Rob Mahirry with Herald Index; Drainage Attorney, Mike Smith; Hardin County Attorney, Richard Dunn; Hardin County Assessor, Don Knoell; Lee Gallentine with Ryken Engineering; Drainage Clerk, Tina Schlemme.

McClellan moved, Rickels seconded to approve the agenda as presented. All ayes. Motion carried.

Rickels moved, McClellan seconded to approve the minutes of the December 23, 2015 regular drainage meeting. All ayes. Motion carried.

McClellan moved, Rickels seconded to approve the claims for payment with pay date of Friday, January 15, 2016. All ayes. Motion carried.

• DD 98	Craig, Smith & Cutler, LLC	Legal Re: Remonstrance	\$ 43.75
• DD 26 Lat 4	Bolton & Menk, Inc.	Engineering Services	\$ 5,666.00
• DD 22	Bolton & Manke, Inc.	Engineering Services	\$ 704.50
• DD 22	Jim Vierkandt	Crop Damages	\$ 926.07
• DD F-H 5-75	Lodge Construction	Pay Estimate 1	\$70,560.00

F-H 5-75 – Rickels moved, McClellan seconded to approve Change Order #1 with Lodge Construction, Inc., changing the contract price from \$81,700 to \$86,050.01 per Franklin County approving it as well. This was due to replacement tile needing to be installed at a different location because of an existing tile under a roadway culvert, requiring additional materials. All ayes. Motion carried.

Discussion was had concerning drainage open ditches not being tax exempt in several drainage districts. Smith cited Iowa Code Section 427.2 which states that any real estate and right-of-ways for established, open, public drainage improvements shall not be taxed. He referenced Webster County standard procedure as all right-of-ways are 66 feet in width unless otherwise noted. Smith's opinion was that the county could 1) adopt a policy for a standard right-of-way unless otherwise noted, 2) measure the ditch using the upcoming 2016 flight data or 3) hire a surveyor to physically measure the ditches. Gallentine agreed with Smith that the surveying option would be costly with not enough benefit to cover the cost. The Trustees directed Dunn to draft a policy implementing a standard 66 foot width right-of-way with possible changes due to: 1) differing measurements once the flight occurs, 2) drainage records indicating a specific width or 3) physical measurements due to landowner objections.

Recessed at 10:44 A.M.; Reconvened at 11:25 A.M.

DD 10 – Rickels moved, McClellan seconded to approve Philip Broer's damage claim for one acre of damage. Philip was claiming two acres of damage, but Ryken Engineering's repair summary indicated 0.85 acres. The lane to access the work area was computed at 10' width by Ryken Engineering, but Broer felt it was closer to 12' wide and also felt the actual work area dimensions were larger than reported. The Trustees agreed to consider the 12' wide lane, but to use the work area dimensions reported as Ryken used GPS points for exact measurements. Schlemme is to calculate the one acre damage claim using the 2015 USDA price per bushel. Gallentine stated he very much appreciated Broer allowing access for the work to be completed. All ayes. Motion carried.

DD 123 – McClellan moved, Rickels seconded for Schlemme to draft a letter to David Schwartz regarding the Engineer's Repair Summary for Work Order Request #99. Ryken Engineering could not find the blowout as indicated by the landowner and received no call back from messages left. The Trustees agreed that the work order will be halted until the landowner communicates again. Schlemme is to include the previously repaired blowouts in the letter. All ayes. Motion carried.

DD 34 – Rickels moved, McClellan seconded to acknowledge the Engineer's Classification Commission Report for Annexed Lands filed in the Auditor's Office on January 11, 2016 and to set the hearing for Wednesday, March 2, 2016 at 11:00 A.M. in the large conference room in the lower level of the Hardin County Courthouse. All ayes. Motion carried.

DD 20 – McClellan moved, Rickels seconded to not approve televising as requested with Work Order Request #123 due to the survey card response from landowners indicating 7 Yes votes, 7 No and 1 Invalid (voted Yes and No on the same card). Schlemme updated the Trustees that Work Order Requestor, Ron Vierkandt, was unable to attend the meeting but wanted the Trustees to know that with the large tile size, he really feels the potential for failing tile is substantial and he wanted to stress how important it was for the televising to occur. The Trustees agreed that since no known issues have arisen and with a split vote from landowners, it was not necessary to conduct the televising. All ayes. Motion carried.

DD 123 – McClellan moved, Rickels seconded to not approve televising as requested with Work Order Request #124 due to the survey card response from landowners indicating 9 Yes votes, 10 No and 1 Invalid (voted Yes and No on the same card). Schlemme updated the Trustees that Work Order Requestor, Ron Vierkandt, was unable to attend the meeting but wanted the Trustees to know that with the large tile size, he really feels the potential for failing tile is substantial and he wanted to stress how important it was for the televising to occur. The Trustees agreed that since no known issues have arisen and with a split vote from landowners, it was not necessary to conduct the televising. All ayes. Motion carried.

Discussion was had regarding the landowner request for video conferencing of drainage meetings. The Trustees agreed to dismiss the option due to possible technical conflicts as stated by Hardin County IT and the potential cost associated with it. Some alternatives stated would be having someone else attend for the landowner and continue to offer teleconferencing when needed.

Schlemme updated the Trustees with Mike Smith's opinion regarding who is responsible for seeding costs on open ditch projects. Smith felt if the damage occurred inside the right-of-way, then the district would pay for seeding, but if outside the right-of-way, then the landowner would be responsible for seeding costs. The Trustees agreed that this topic should be revisited once the policy regarding the taxation of open ditch right-of-way is implemented.

Schlemme also updated the Trustees with Mike Smith's opinion that it is okay to publish the Engineer's Reports on the county website. He stated that it is public record and is allowable, but the Trustees need to consider any reasons on why they feel it should not be published. Schlemme showed the Trustees the website of a neighboring county and how informative it was for landowners. The Trustees agreed this topic should be revisited once Schlemme is ready to implement any changes.

Other Business

- DD 102 – Gallentine updated the Trustees that Gehrke indicated they would not be able to complete the work orders for this district in the time allowed and Williams Excavation has now been assigned and will begin work on Friday.

McClellan moved, Rickels seconded to adjourn the meeting. All ayes. Motion carried.